

BKL SF-4 12/2/05

PATENT

REMARKS

Claims 1-20 remain in the application. Claim 5 has been amended for consistent terminology.

§102 Rejections

Claims 1-7, 9, 11-16, 18 and 20 were rejected under §102 as anticipated by Jigamian. Jigamian discloses a battery-powered searchlight with an adjustable light level. The light level is determined by sustained pressure on a single switch, during which the intensity ramps up, with the intensity being set at the level at which the switch is released. The same switch turns the lamp off, and back on at the last selected intensity (paragraph 82).

The rejection of claim 1 is in error because the cited reference does not disclose all of the elements of the claim.

The first error in the rejection of claim 1 is in the assertion that the cited reference discloses a switch operable to be incremented through a sequence of states. The action cites element 88, paragraph 82. Element 88 is shown in Figure 14 as a simple switch with an open and a closed state, not a "sequence." Applicant intends the term "sequence" to have the normal meaning, in which there is a series of states more than two. The action merely cites a text passage, without explaining how an "open/closed" switch has a sequence of states.

The second error in the rejection of claim 1 is in the assertion that the cited reference discloses a switch that, upon application and release of pressure, changes between states in which the lamp is operated at different brightness. The cited passage of paragraph 82 states that "momentary depression" (application and release of pressure) of the button (switch) 88 turns on the light, and another application turns off the light. Switching between an on state and an off state is not the same as switching between operating a lamp at two brightness levels, because an "off" lamp is not operating.

For either one of the above reasons, the rejection of claim 1 is in error, and claim 1 and its dependents should be allowable.

Claims 2-11 depend from claim 1 and should be allowable for the above reasons and because of the features set forth therein.

BKL SF-4 12/2/05

PATENT

Claim 2 should be allowable for the additional reason that the cited reference does not disclose a “switch (that) includes an off state in addition to at least two different brightness states.” The cited reference is capable of multiple output levels and an off condition, but the cited reference’s switch is not. The cited switch has only two states, not two different brightness states in addition to an off condition. For this additional reason, claim 2 should be allowable.

Claim 3 should be allowable for the first additional reason that the action does not allege that the cited reference discloses an elongated body.

Claim 3 should be allowable for the second additional reason that the action does not allege that the cited reference discloses the switch being located away from the ends of the body. The action makes no mention of the location of the switch.

Claim 4 should be allowable for the additional reason that the action does not allege that the cited reference discloses a switch having a plurality of outputs connected to the controller. The element 164 cited as a controller is connected to switch element 88 by only a single input.

Claim 5 should be allowable for the additional reason that the cited switch is incapable of the claimed connection, for the reasons set forth with respect to claim 4.

Claim 6 should be allowable for the first additional reason that the action fails to point out where the cited reference discloses a “power storage element (having) opposed electrodes each connected to the controller.” The action merely cites a figure (2) and element number (237) for the power storage element, but does not identify electrodes, nor any means of connection, nor an element in the figure that is alleged to be a controller. The element 164 cited elsewhere as a controller is not found in the cited figure, and the figure (14) in which this element is displayed does not disclose an element with a number corresponding to the cited power storage element.

Claim 6 should be allowable for the second additional reason that the action fails to point out where the cited reference discloses a “lamp (having) opposed electrodes each connected to the controller.” The action merely cites a figure (2) and element number (66) for the lamp, but does not identify electrodes, nor any means of connection, nor an element in the figure that is alleged to be a controller. The element 164 cited elsewhere as a controller is not found in the cited figure, and the figure (14) in which this element is displayed does not disclose an element with a number corresponding to the cited lamp.

BKL SF-4 12/2/05

PATENT

Claim 7 should be allowable for the additional reason that the action does not allege that the cited reference discloses all contacts of the switch being connected directly to the controller, such that the switch does not intervene between the lamp and the power source.

Claim 9 should be allowable for the additional reason that the cited reference does not disclose a resistor network connected and operating as claimed. The action simply cites a text phrase "resistor network" without alleging that this is connected or operable as claimed.

Claim 11 should be allowable for the additional reason that the action does not allege that the cited reference discloses the claimed reflector or position of the lamp.

Claim 12 should be allowable because the action fails to allege that the cited reference discloses the claimed elements, relying on assertions with respect to claim 1, or because certain claimed elements are not disclosed in the cited reference.

The first error in the rejection of claim 12 is that the action fails to allege that the cited reference discloses "a switch having an electrical input contact and a plurality of electrical output contacts."

The second error in the rejection of claim 12 is that the cited reference does not disclose a "switch being operable to be incremented through a sequence of states." As discussed above, an on-off switch does not have a sequence of states.

The third error in the rejection of claim 12 is that the action fails to allege that the cited reference discloses "each of the states having an electrical connection made between the input contact and a respective one of the output contacts."

Claims 13-20 depend from claim 12 and should be allowable for the above reasons and because of the features set forth therein.

Claim 13 should be allowable for the additional reason discussed above with respect to claim 2.

Claim 14 should be allowable for the additional reason that the action fails to allege that the cited reference discloses the claimed feature.

Claim 15 should be allowable for the additional reason that the action fails to allege that the cited reference discloses the claimed features.

BKL SF-4 12/2/05

PATENT

Claim 16 should be allowable for the additional reason that the action fails to allege that the cited reference discloses the claimed feature.

Claim 18 should be allowable for the additional reason discussed above with respect to claim 9.

Claim 20 should be allowable for the additional reason discussed above with respect to claim 11.

§103 Rejections

Claims 8, 10, 17 and 19 were rejected under §103 as unpatentable over Jigamian. The rejection blurs the different features of these claims together, without making an adequate or coherent case for any of the particular features.

Claim 8 should be allowable because the action provides inadequate motivation to make the proposed modification of Jigamian, by substituting a multi-contact switch with a rotating element for the simple open-closed switch. The asserted motivations appear to be drawn in hindsight based on applicant's disclosure. In addition, the "single-button" simplicity motivation is inadequate because Jigamian is already single button operation.

Claim 10 should be allowable because the action provides inadequate motivation to make the proposed modification of Jigamian, to adopt an LED. This modification appears to be drawn in hindsight based on applicant's disclosure. Moreover, the reference teaches away from the adoption of an LED because there is no evidence that the function of a high brightness xenon arc light searchlight could be performed by an LED, regardless of efficiency. In addition, the action offers no evidence that an LED is more efficient than an arc lamp.

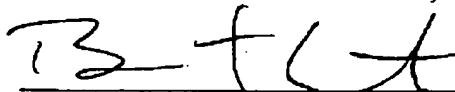
Claims 17 and 19 should be allowable for the reasons discussed above with respect to claims 8 and 10, respectively.

All pending claims should be allowable for the above reasons. Reconsideration of the application is respectfully requested.

BKLSF-4 12/2/05

PATENT

Respectfully submitted,
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